THE HONOURABLE SRI JUSTICE C.V. RAMULU

WRIT PETITION No.6900 OF 2007

DATED: 23.10.2007

Between:

Smt Yerradasari Uma Devi

.. Petitioner

And

The District Selection Committee of Anganwadi Workers, Anantapur District, rep. by chairman, District Collector, Anantapur, Anantapur District and others.

.. Respondents

THE HONOURABLE SRI JUSTICE C.V. RAMULU

WRIT PETITION No.6900 OF 2007

ORDER:

This writ petition is filed questioning the action of the respondents 1 and 2 in issuing the impugned proceedings, dated 30.01.2007, appointing the 3rd respondent as Anganwadi worker of Eguvapalli village, Harijanawada Centre, I.C.D.S. Project, Kadiri Mandal, Anantapur District.

According to the petitioner, she is more qualified than the 3rd respondent and moreover the 3rd respondent is not the native of the Eguvapalli village, therefore, the appointment of the 3rd respondent as Anganwadi worker of Eguvapalli village is arbitrary and illegal.

While admitting the writ petition on 05.04.2007, this Court, by order in W.P.M.P.No.8796 of 2007, granted interim suspension of the impugned proceedings.

In the counter-affidavit filed by the 3rd respondent along with vacate stay petition, it is categorically asserted by the 3rd respondent that she has passed S.S.C. examination, whereas the petitioner failed. Further, while stating that she is the native and resident of Eguvapalli village, the 3rd respondent has explained, at paragraph 4 of the counter-affidavit, as to how she could be the native of that village. It is further asserted that she has been residing in that village for the past

more than ten years and to that effect a certificate was also issued by the concerned authorities.

The main contention of the petitioner seems to be that the 3rd respondent is not the native of Eguvapalli village and, therefore, she is not eligible for appointment.

Under those circumstances, the interim suspension order passed on 05.04.2007 is vacated and the respondents 1 and 2 are directed to reconsider the matter and pass appropriate orders, within a period of four weeks from the date of receipt of a copy of this order, and communicate the same to the petitioner as well as the 3rd respondent. Till such time, the 3rd respondent shall be permitted to continue as Anganwadi worker of Eguvapalli village, Kadiri Mandal of Anantapur District.

With the above directions, the writ petition is disposed of. No order as to costs.

C.V. RAMULU, J

23rd October, 2007.
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